



October 18, 2001

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

RE: Appeal DA 11-1588, released September 23, 2011

Dear Ms. Dortch,

I am the Budget & Services Coordinator with the El Paso Public Library (EPPL) for the City of El Paso and I am writing to you to appeal the acceptances of FY2011 Form 471 by the United Service Administrative Company (USAC) dated July 18, 2011.

I was late in submitting the Form 471 for EPPL as EPPL went through management changes as well as a major re-org. EPPL's Director resigned October 20, 2010, a new Deputy Director came aboard October 10, 2010 and the new Director came aboard on January 18, 2011. As the Business Office Manager I am responsible for the operations of the Library and as well as bringing new management up-to-date on budget issues as well as City procedures/policies. January is also the beginning of the budget talks for the City of El Paso and with a new Director and Deputy Director, as well as continuing the Business Office work flow I lost track of the E-Rate calendar. During this period I was also going through medical treatment for a personal illness.

The missed USAC deadline for filing Form 471 was not due to noncompliance with E-rate program rules or data received from USAC. But as I was pulled in many directions during this time, since I was processing BEAR reports and receiving reimbursements for funding year 2010 I misunderstood the emails from USAC for funding year 2011, thinking I was already in funding year 2011.

As soon as I realized my error I filed Form 470, which was accepted online on June 20, 2011, and a letter of confirmation was received by the El Paso Public Library on June 30, 2011. As a City entity contracts for services are already

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in place as well as existing relationships with the providers. I did wait the mandatory 28-day competitive bidding process required in the Form 470 acceptance letter and when I went to enter Form 471 application online, I was notified that it 'will be considered as received out-of-window' and EPPL must file a window waiver request with the Federal Communications Commission.

State cut backs to Libraries as well as local budget cuts has required EPPL to rely on E-rate funding for technology in the Library System (EPPL's Library System consists of the Main Library, 11 Branches and 1 Bookmobile, as well as service to homebound patrons). Libraries are a main source of resources of technology for the community that cannot afford the cost of technology in their own home. EPPL has letters of gratitude from patrons who have used the technology resources of the library to get a job, continue with their education and provide classes to promote their individual use of technology. EPPL has been participating in E-Rate since 1998, missing only 3 scattered years due to changes in the Business Office Manager.

So I ask that you accept this appeal and allow USAC to accept the El Paso Public Library's Form 471 to continue in the E-Rate discount so my error does not limit EPPL's ability to provide technology to the community.

Sincerely,

Lisa Kay Riley  
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